

 <p>ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 103.03	Page 1 of 2
	Effective Date: February 15, 2009	
	Distribution: A	
	Supersedes: 103.03 (1/1/06) PCN 08-26 (9/15/08)	
Approved by: George M. Little		
Subject: OPEN PAROLE HEARINGS		

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 40-28-502, and TCA 40-28-505.
- II. PURPOSE: To provide for open parole, parole rescission, and parole revocation hearings at Tennessee Department of Correction (TDOC) institutions.
- III. APPLICATION: All TDOC and privately managed institutional employees and inmates.
- IV. DEFINITIONS: None.
- V. POLICY: Parole, parole rescission, and parole revocation hearings shall be open to the public at all TDOC and privately managed institutions.
- VI. PROCEDURES:
  - A. Parole Hearing Notification: Within 90 days of receipt by TDOC of a valid judgment of conviction, the TDOC Victim Services Office shall notify the victim witness coordinator in the jurisdictional District Attorney's office of the inmate's current parole eligibility date (Release Eligibility Date) through electronic or written notification. Notification for a change of name or address of a victim witness coordinator will be submitted to the Manager of Systems Development Services by the Manager of Sentence Management Services, or the Victim Services Director.
  - B. Open Attendance: All parole, parole rescission, and parole revocation hearings at TDOC and privately managed institutions shall be open to the public. Attendees and any personal property shall be subject to the search requirements of Policy #506.06 (Searches). All persons who enter the facility to attend a parole hearing and who have prosthesis or prosthetic equipment as defined in Policy #507.01 (Visitation) shall be allowed and may be required to present a doctor's note.
  - C. Persons Attending the Parole Hearing: Upon arrival at the institution, individuals supporting the inmate's release to parole will be separated from those opposing the inmate's release to parole. Each group will be processed separately through checkpoint and escorted into separate waiting areas, out of the sight of the other group. Each group will be escorted separately into the hearing room at a time determined by the IPPO and the parole official hearing the case. At the announced close of the hearing, individuals opposing the inmate's release to parole will be escorted from the hearing room and returned to the administration building. These individuals will then leave the premises before supporters of the inmate's release to parole are escorted back into the administration building.

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D. Exceptions to Open Attendance

1. The Warden or parole board representative may restrict the number of individuals allowed to attend parole or parole revocation hearings and may make provisions to separate the supporters and opponents of the inmate's release to parole in accordance with physical limitations or security requirements of each institution.
2. The Warden or parole board representative may deny admission or continued attendance at these hearings to individuals who:
  - a. threaten or present a danger to the security of the institution
  - b. threaten or present a danger to other participants or attendees
  - c. disrupt the hearing
  - d. fail to provide proper identification
3. The Warden shall ensure that proper documentation is maintained when an individual is denied admission to a parole hearing or asked to leave a particular hearing. The decision to deny individuals must be made by the Warden/designee with documentation noted on TOMIS conversation LIBJ, Visitor Problem. Any person restricted or barred from any TDOC facility for possession of contraband or refusal of a search will not be permitted to enter the facility for parole hearings.
4. All minor children 16 years of age or younger will be under the continuous supervision and responsibility of their parents or legal guardian in order to attend a parole board hearing. Seventeen year olds without parent(s) or legal guardian must be immediate family of the inmate meeting the Parole Board.

E. All parole hearing attendees and inmates are subject without consent to being photographed and/or recorded by news media during the hearings.

VII. ACA STANDARDS: 4-4447.

VIII. EXPIRATION DATE: February 15, 2012.